

GIVES OVER \$1,000,000 TO THE MUSEUM OF ART

Francis L. Leland Springs a Surprise After Annual Meeting of Metropolitan Members.

GIFT IS UNCONDITIONAL

Likely That Only the Income Will Be Used—Robert W. de Forest as to Morgan Collections Here.

Robert W. de Forest, second vice-president of the Metropolitan Museum of Art, announced last night that Francis L. Leland, president of the New York County National Bank, has made an unconditional gift to the museum of 1,200 shares of the stock of that bank, valued at more than \$1,000,000.

The gift was announced by Mr. Leland to Mr. de Forest and J. Pierpont Morgan, Jr., who at the conclusion of the annual meeting of the museum held yesterday afternoon were invited to call upon Mr. Leland at his residence, 137 Riverside Drive, in regard to a gift to the museum. When the gift was announced by Mr. Leland Mr. de Forest suggested it be made in the form of a letter and the following was handed to Mr. de Forest:

February 19, 1912.
J. Pierpont Morgan, Esq., President Metropolitan Museum of Art.
DEAR SIR: I herewith make a gift outright of one thousand two hundred (1,200) shares of the New York County National Bank stock to the Metropolitan Museum of Art, without condition. Very truly yours,
FRANCIS L. LELAND.

The quotation of New York County National Bank stock yesterday was \$850 bid and 90 asked.

Mr. de Forest in speaking of the gift last night said:

"While the gift is absolutely unconditional, the trustees of the museum, in my judgment, will hold it as a principal fund, the income of which will be used chiefly, not entirely, for the purchase of art."

The annual income of Mr. Leland's gift to the museum, it was estimated, will be about \$45,000.

The announcement of the gift came as a surprise to every one connected with the museum. Mr. Leland, although he has been an annual member of the museum, paying \$10 a year, had never been in any way prominent in its affairs.

Mr. Leland is about 78 years old and a veteran of the civil war. He was one of the sixty-four members of the tenth company of the Seventh Regiment who served as volunteers or in the regular army.

Mr. Leland came out of the war a Lieutenant-Colonel and is known to his friends as "Col. Leland." Besides being president of the New York County National Bank, he is a director of the Manhattan Savings and Loan Association, of Park & Tilford and of the United States Life Insurance Company, and vice-president and a director of the West Side Bank.

Mr. Leland spends much of his time at his villa, the Villa Tivoli, in Florence, Italy. He married an Italian lady, Miss Adelaide Monte. His wife is now abroad. He is a member of the New York Yacht Club and the Loyal Legion.

The gift made by him yesterday is one of the largest received by the museum and the largest ever received in the lifetime of the donor.

In the current number of the Bulletin of the Metropolitan Museum of Art, out today, Mr. de Forest makes a statement in regard to J. Pierpont Morgan's art treasures and the museum. Mr. de Forest says:

"The widespread publicity that has been given by the press to Mr. Morgan's transfer of his collections from the Victoria and Albert Museum in London to New York and the inferences drawn of his intentions toward our Metropolitan Museum call for some statement from his fellow trustees in his absence, to distinguish fact from fiction and to prevent public misunderstanding."

What we know is that for several years past Mr. Morgan has intended to assemble in his native country his works of art that have been lent to European museums and that he has arranged to carry out this intention now as respects those in the Victoria and Albert and other European museums by bringing them to New York.

"Arrangements have been made by the Metropolitan Museum to receive on storage all that he sends and to display at least temporarily such of them as he may be willing to place on exhibition."

"They will be shown in several galleries of the new wing now approaching completion, which were originally intended for other purposes. Of Mr. Morgan's further intentions we have no knowledge. Whether he intends to bring over more or less we do not know. Possibly he may not have made up his mind himself. His recent gifts to the museum have been numerous and generous in the extreme. His loans have been even more important. The eighteenth century part of the Horne collection was given; the Gothic part is lent; his unrivaled collection of Chinese porcelains is a loan."

"What we do know is that even if the galleries which can now be used to show some of his treasures can be permanently devoted to the purpose, the space is utterly inadequate to exhibit all of them, and nothing short of another extension to the museum will suffice to do so. It would be a pleasant dream if Mr. Morgan would give his fellow citizens of New York the opportunity to see and enjoy the notable objects of art which his taste and wealth have enabled him to assemble."

Among recent loans from Mr. Morgan announced yesterday at the museum are paintings which have just been placed on view there. These include "The Virgin and Child with the Saints," by Piero Vannucci, called Perugino, from an English collection, and formerly owned by Sir George Sitwell; a portrait of the artist by Morino d'Alba, Italian school, 1560; "Adoration of the Magi," by Bartolomeo Vivarini, Venetian school, 1431, from the Abby collection, London, and a "Madonna and Child," by Fra Angelico, which was purchased by Mr. Morgan about three years ago, and which was formerly in the collection of the King of the Belgians.

Mr. Morgan has also lent the museum

MUCH PHONE TALK BEFORE DURBAR FETE

Ambassador Bryce Wanted to Know if It Would Burlesque the Real Thing.

WAS SATISFIED BY WIRE

Astor Ballroom Was a Scene of Oriental Splendor—One Travesty Cut Out

A message from James Bryce, the British Ambassador, sent to the heads of the durbar fete which was held at the Hotel Astor last night for the benefit of the New York Association for the Blind, in which the British Ambassador wanted to know if the performance amounted to a burlesque on the real durbar and if it did would they kindly withdraw his name and the name of Mrs. Bryce from the list of patrons and patronesses, caused President John Finley of the City College and Miss Winifred Holt, who ran the affair, to spend a lot of time at the telephone yesterday afternoon.

The message was transmitted in the form of a note from Courtenay Walter Bennett, the Consul-General here, who sent it to President Finley, head of the association. As soon as he read it Mr. Finley got to the telephone to tell Miss Winifred Holt, secretary of the association, about it. Miss Holt has been toiling for some time to make last night's affair a money-raiser for a new "light-house" for the blind and she wasn't going to have the Ambassador suffer under the impression that the durbar could in any way give offence to the most loyal British subject.

She called up Ambassador Bryce on the long distance telephone while Dr. Finley was talking over the telephone to Mr. Bennett at the Hotel Majestic, and explained to the Ambassador at Washington just what sort of an affair the durbar was to be. She told him that it was just fun and that the King and Queen were not to be represented, and after this had been explained to him, he was satisfied.

Mr. Bryce said he understood exactly and that Miss Holt must forget that he had ever written that note and keep his name and that of his wife on her list by all means. It was simply to find out what the durbar was really to be that he had written, said the British Ambassador.

Dr. Finley was hearing the same thing from Mr. Bennett, so all was calm when the durbar was ready to begin last night. Miss Holt said at her home later:

"It is absurd, the idea that our durbar fete could offend any one, least of all my dear friend Mr. Bryce, that I can hardly talk about it. No doubt it was started by some unfriendly person—perhaps some one who was not invited to be a patron or a patroness. The King and Queen are not represented in our costume party. It was suggested some time ago that they ought to be, but we refused to accept the suggestion."

"It isn't a durbar we're giving; it's just a simple bit of nonsense as a part of what is really our annual ball for the blind. Mr. and Mrs. Bryce were put on our list because they have been immensely interested in our work. I know they could not attend, for the Ambassador reminded me that he couldn't because the English court is in mourning for the Duke of Fife. They had to decline for the same reason to join a party that is dining at my home this evening before going to the Astor."

To prove that the spectacle at the Astor was just an unpretentious bit of fun, Miss Holt read to the reporters this bit of rhyme, printed on the cover of last night's programme:

No duffer here have we,
A duffer from overseas,
Soldiers have, so we,
Great people, so have we,
Music to gladden our hearts,
Stars to present their arts,
And when this all is over,
Gladden you hearts once more,
For in leading us through,
Absorbed in our pleasure,
We help the blind to see.

"Oh, dear no! I didn't write it," protested Miss Holt. "Think of me sitting here reading poetry to newspaper men!"

It had been advertised that a "300 ton elephant" would be followed by 300 men and women in Eastern costume in last night's "procession from the gates of Delhi," but Miss Holt said that the procession would have to lead itself, as she had been informed that "the dear elephant" couldn't come.

The announced honorary patrons and patronesses, besides Mr. and Mrs. Bryce, were President and Mrs. Taft, the French Ambassador and Mme. Jusseland, the German Ambassador and Countess Bernstorff, the Secretary of the Treasury and Mrs. MacVeagh, Justice and Mrs. Hughes, Governor and Mrs. Dix and the Mayor and Mrs. Gaynor.

A despatch from Washington last night said that Ambassador Bryce declined to comment on the report that he had withdrawn his name as a patron of the Durbar fete. President Taft, so far as the White House record shows, never consented to act as one of the patrons. Ambassador Jusseland of France was one of the patrons. He did not attend, but was represented by the wife of his naval attaché.

When the Astor Durbar was finally reviewed it had been expurgated. From it had been taken bodily a subway skit which was the only feature that could have been construed as a travesty on the Durbar of India. Its characters were to have been Father Knickerbocker, Miss Manhattan, the Sacram of Tammany, the Gaekwar of City Hall, accompanied by Little Dog Spot, and the Jam of Interborough, an old man stilted by very much strapping. In the skit as it has been rehearsed fun was to be poked at President Shouts of the Interborough. President Williams of the B. R. T. Mayor Gaynor and others, not forgetting the Public Service Commission. All this was cut out.

With the artistic superintendence of Richard H. Hunt and his brother, Joseph H. Hunt, the grand ballroom of the Astor was resplendent with rich Oriental stuffs which were hung along the balconies, and the Gates of Delhi were faithfully

Continued on Second Page.

MUCH PHONE TALK BEFORE DURBAR FETE

Ambassador Bryce Wanted to Know if It Would Burlesque the Real Thing.

WAS SATISFIED BY WIRE

Astor Ballroom Was a Scene of Oriental Splendor—One Travesty Cut Out

A message from James Bryce, the British Ambassador, sent to the heads of the durbar fete which was held at the Hotel Astor last night for the benefit of the New York Association for the Blind, in which the British Ambassador wanted to know if the performance amounted to a burlesque on the real durbar and if it did would they kindly withdraw his name and the name of Mrs. Bryce from the list of patrons and patronesses, caused President John Finley of the City College and Miss Winifred Holt, who ran the affair, to spend a lot of time at the telephone yesterday afternoon.

The message was transmitted in the form of a note from Courtenay Walter Bennett, the Consul-General here, who sent it to President Finley, head of the association. As soon as he read it Mr. Finley got to the telephone to tell Miss Winifred Holt, secretary of the association, about it. Miss Holt has been toiling for some time to make last night's affair a money-raiser for a new "light-house" for the blind and she wasn't going to have the Ambassador suffer under the impression that the durbar could in any way give offence to the most loyal British subject.

She called up Ambassador Bryce on the long distance telephone while Dr. Finley was talking over the telephone to Mr. Bennett at the Hotel Majestic, and explained to the Ambassador at Washington just what sort of an affair the durbar was to be. She told him that it was just fun and that the King and Queen were not to be represented, and after this had been explained to him, he was satisfied.

Mr. Bryce said he understood exactly and that Miss Holt must forget that he had ever written that note and keep his name and that of his wife on her list by all means. It was simply to find out what the durbar was really to be that he had written, said the British Ambassador.

Dr. Finley was hearing the same thing from Mr. Bennett, so all was calm when the durbar was ready to begin last night. Miss Holt said at her home later:

"It is absurd, the idea that our durbar fete could offend any one, least of all my dear friend Mr. Bryce, that I can hardly talk about it. No doubt it was started by some unfriendly person—perhaps some one who was not invited to be a patron or a patroness. The King and Queen are not represented in our costume party. It was suggested some time ago that they ought to be, but we refused to accept the suggestion."

"It isn't a durbar we're giving; it's just a simple bit of nonsense as a part of what is really our annual ball for the blind. Mr. and Mrs. Bryce were put on our list because they have been immensely interested in our work. I know they could not attend, for the Ambassador reminded me that he couldn't because the English court is in mourning for the Duke of Fife. They had to decline for the same reason to join a party that is dining at my home this evening before going to the Astor."

To prove that the spectacle at the Astor was just an unpretentious bit of fun, Miss Holt read to the reporters this bit of rhyme, printed on the cover of last night's programme:

No duffer here have we,
A duffer from overseas,
Soldiers have, so we,
Great people, so have we,
Music to gladden our hearts,
Stars to present their arts,
And when this all is over,
Gladden you hearts once more,
For in leading us through,
Absorbed in our pleasure,
We help the blind to see.

"Oh, dear no! I didn't write it," protested Miss Holt. "Think of me sitting here reading poetry to newspaper men!"

It had been advertised that a "300 ton elephant" would be followed by 300 men and women in Eastern costume in last night's "procession from the gates of Delhi," but Miss Holt said that the procession would have to lead itself, as she had been informed that "the dear elephant" couldn't come.

The announced honorary patrons and patronesses, besides Mr. and Mrs. Bryce, were President and Mrs. Taft, the French Ambassador and Mme. Jusseland, the German Ambassador and Countess Bernstorff, the Secretary of the Treasury and Mrs. MacVeagh, Justice and Mrs. Hughes, Governor and Mrs. Dix and the Mayor and Mrs. Gaynor.

A despatch from Washington last night said that Ambassador Bryce declined to comment on the report that he had withdrawn his name as a patron of the Durbar fete. President Taft, so far as the White House record shows, never consented to act as one of the patrons. Ambassador Jusseland of France was one of the patrons. He did not attend, but was represented by the wife of his naval attaché.

When the Astor Durbar was finally reviewed it had been expurgated. From it had been taken bodily a subway skit which was the only feature that could have been construed as a travesty on the Durbar of India. Its characters were to have been Father Knickerbocker, Miss Manhattan, the Sacram of Tammany, the Gaekwar of City Hall, accompanied by Little Dog Spot, and the Jam of Interborough, an old man stilted by very much strapping. In the skit as it has been rehearsed fun was to be poked at President Shouts of the Interborough. President Williams of the B. R. T. Mayor Gaynor and others, not forgetting the Public Service Commission. All this was cut out.

With the artistic superintendence of Richard H. Hunt and his brother, Joseph H. Hunt, the grand ballroom of the Astor was resplendent with rich Oriental stuffs which were hung along the balconies, and the Gates of Delhi were faithfully

Continued on Second Page.

HEIKE MAY GET NEW TRIAL

Gerbracht Must Serve His Sentence—Decision in Sugar Fraud Cases.

U. S. Supreme Court Refuses to Declare Them Unconstitutional

Appeal from Oregon Case

WASHINGTON, Feb. 19.—The United States Supreme Court to-day granted the application for a writ of certiorari made by Charles R. Heike, former secretary of the American Sugar Refining Company, convicted in the United States court for the southern district of New York in connection with the sugar frauds. The application of Ernest W. Gerbracht was denied.

Charles R. Heike, the secretary and treasurer of the American Sugar Refining Company, was the only executive officer of that corporation who was convicted of complicity in the sugar underweighing frauds at the docks of the Havemeyers & Elder refinery in Williamsburg, involving more than \$2,000,000, but nearly four weeks on trial Heike was convicted on June 10, 1910, and on September 19 following was sentenced by Judge Martin of the Federal District Court to serve eight months on Blackwell Island and to pay a fine of \$5,000. Heike resigned his office and took an appeal. The Circuit Court of Appeals sustained the lower court, whereupon the Supreme Court of the United States was applied to for a writ of certiorari for a review of the Court of Appeals ruling.

Heike's main reliance on appeal has been the contention that he earned immunity by producing documentary evidence before the Grand Jury as well as giving testimony. Since he was sentenced Heike has been at large on \$15,000 bail. Ernest W. Gerbracht, former superintendent of the Havemeyers & Elder refinery, was tried and convicted with Heike. He was sentenced to two years at Atlanta and a fine of \$5,000. Gerbracht must now serve this sentence.

ROOSEVELT TO ACCEPT.

Will Soon Reply to the Call Addressed to Him by Eight Governors.

WASHINGTON, Feb. 19.—Definite information from New York was obtained here to-day that Col. Roosevelt will within ten days make reply to the call addressed to him by the eight Governors and that he will from that time be in the race against President Taft without reservation. The progressives have been nervous since the collapse of the La Follette boom. Practically all of them have served notice on Senator La Follette that they have decided to turn to Roosevelt. As time has passed and no announcement came from Oyster Bay the progressives have become restless.

If Roosevelt should decide not to be a candidate it would leave them in a most unhappy position, but their fears were dispelled to-day by positive assurance that they could expect the announcement probably as early as next Monday, certainly within ten days, and that after that the country will have no reason to doubt that Col. Roosevelt is a candid date or, as he will say, willing to accept.

Col. Roosevelt's reply to the Governors is not expected to be a long document. In fact it is understood it will be very brief and simply repeat the substance of what he has said to many callers and has written to many friends throughout the country, that while he declines to be an active candidate and will make no personal effort to secure the nomination he will accept if his party sees fit to nominate him.

LITTLE LAWRENCE GIRL LOST.

One of Mill Strikers' Children Wandered for Hours in the Bronx.

Carmella Russo, 11 years old, one of the group of strikers' children who were brought here from Lawrence, Mass., on February 10, was found at 8 o'clock last night crying in front of a bakery at 1457 Third Avenue. The girl told the police she was brought here with two brothers, Anthony, 9, and Joseph, 10, and had been staying with a family in East 183d Street. The only name she could remember was Tony.

Carmella was sobbing and to women who gathered around her said she was lost and hungry. They gave her all the cakes she could eat and then notified the Tremont police station. The child was well clothed and wore earrings and a ring, which she said she got from the family in 183d Street. The police took her to the Children's society rooms for the night.

DEPUTY SHERIFF GOES TO JAIL

Shorey Gets Three Months for Carrying Pistol in Boston.

BOSTON, Feb. 19.—Deputy Sheriff John Shorey from Conway, N. H., was sentenced to three months in the House of Correction by Judge Sanderson of the Superior Criminal Court to-day for carrying a revolver in Boston contrary to the law.

Shorey came to Boston on January 26. On the way down on the train he insisted that Charles Goldberg, a newsboy, take a drink with him, so the Government alleged, when the boy refused, Shorey ripped his coat. This complaint was placed on file.

Arriving in Boston, Shorey thought the customs among officers of the law entitled him to carry a pistol. He told the Judge in the Municipal court so after he had pleaded guilty to the complaint. He was sentenced to three months in the lower court and appealed.

Last summer Shorey got into similar trouble here. He said a man attempted to rob him and that shots he (Shorey) fired were for the purpose of scaring the robber. He paid a fine for this offense.

PHOTOGRAPH IN BOMB CASE.

Miller Has Evidence That Ironworkers Recognized Programme.

INDIANAPOLIS, Feb. 19.—United States District Attorney Miller has a photograph of a resolution regarding dynamiting adopted at the international convention of the ironworkers union at Rochester, N. Y., in 1910, which shows that the dynamiting programme was accepted as a fact by the delegates. The resolution reads:

Resolved, That no more bombs or explosives of any kind be exploded while this convention is in session.

The sessions of the iron workers' conventions are secret, but the proceedings are printed. When Mr. Miller's attention was called to the resolution he said it was a matter he was not at liberty to discuss.

THE INITIATIVE AND REFERENDUM UPHELD

U. S. Supreme Court Refuses to Declare Them Unconstitutional.

APPEAL FROM OREGON CASE

Court Decides the Question to Be Political and Not Cognizable by the Judicial Power.

WASHINGTON, Feb. 19.—The Supreme Court of the United States to-day declined to declare invalid laws of a sovereign State passed through the initiative and referendum.

The case arose in Oregon, where the popular theories of government have gone further perhaps than in any other State in the Union. The State passed a law taxing the gross income of certain corporations. The law was passed as a result of the initiative and referendum. The Pacific States Telephone and Telegraph Company, a corporation doing business in Oregon, was assessed. It refused to pay the taxes and was sued in the courts. The defense by the corporation was that legislation passed as a result of the initiative and referendum was unconstitutional.

Judgment was awarded against the corporation in the local court of the State of Oregon and the judgment was afterward affirmed by the Supreme Court of Oregon.

The case came to the Supreme Court of the United States on a writ of error from the Supreme Court of Oregon. The arguments that were submitted very early in the present term called out many questions from the Chief Justice and other members of the court and resulted in colloquies that clearly foreshadowed the court's decision.

The contention of the attorneys for the corporation was that legislation by the initiative and referendum was not a republican form of government such as is guaranteed by the Constitution of the United States. Other questions were raised, among them that the equal protection of the laws had been denied the corporation in that it was being taxed under a law passed by the initiative and referendum method, while most of the other statutes of Oregon providing for imposition of taxes were passed in the usual way through the Legislature without popular intervention. But the main controversy raged around the question whether legislation by the initiative and referendum is a republican form of government.

The Supreme Court to-day, in its unanimous opinion read by Chief Justice White, held that the "issues presented in their very essence are and have long since by this court been definitely determined to be political and governmental and embraced within the scope of the powers conferred upon Congress and not therefore within the reach of judicial power. It follows that the case presented is not within our jurisdiction."

At the very outset of the opinion the Chief Justice disclosed the court's view in the following statement:

We premise by saying that while the controversy which this record presents is of much importance it is not novel. It is important since it calls upon us to decide whether it is the duty of the court or the province to determine when a State government has ceased to be republican in form and to enforce the guarantee of the Constitution on that subject. It is not novel, as that question has long since been determined by this court, conformably to the practice of the Government from the beginning, to be political in character and therefore not cognizable by the judicial power, but solely committed by the Constitution to the judgment of Congress.

The decision in the case has been awaited with vital interest by the States that have the initiative and referendum and to-night there is great rejoicing among many folks from the West. Advocates of this form of government say the Supreme Court's decision to-day will be of great benefit to them in their efforts to spread the propaganda.

DUTY ON MRS. LEEDS'S PEARLS.

U. S. Supreme Court Decides That It Should Have Been at 10 Per Cent.

WASHINGTON, Feb. 19.—The Supreme Court in an opinion by Justice Hughes to-day held that the pearls imported for Mrs. William B. Leeds should pay duty at 10 per cent as pearls "in their natural state, not set or strung" instead of at the rate of 60 per cent, under the jewelry paragraph, as claimed by the Government.

The opinion affirms the judgment of the Court of Appeals, Second Circuit. The pearls were valued at \$340,000, and the amount involved in duties was about \$250,000.

The pearls that involved Mrs. William B. Leeds in a contest with the Government were bought from Bernard Citron in Paris in 1905. There were thirty-seven of them, they cost \$340,000 and the dealer agreed to deliver them here. So the cost price included an allowance for duty. When Citron delivered them to Mrs. Leeds at Newport the pearls were unstrung and were appraised by the customs officers here as individual pearls dutiable at the rate of 10 per cent. The Collector at the rate of 10 per cent. The Collector rejected that appraisal and levied the full duty of 60 per cent, on the ground that the pearls were a necklace that had been taken apart for importation.

A week after the payment by the importer of the 10 per cent duty originally assessed the Collector demanded the additional 50 per cent, amounting to \$110,000, which Citron paid under protest at the same time asking that the entire amount of the duty, \$132,000, be refunded and permission given him to take the pearls back to France. This demand was refused.

In the suit that followed the lower courts decided against the Government.

No consignment omits ANGSTURIA BITTERS in punches and fancy drinks.—Ad.

JULIA MARLOWE OPERATED ON.

Affection of the Throat Renders Recourse to Surgery Necessary.

WASHINGTON, Feb. 19.—Julia Marlowe, who played here with her husband, E. H. Sothern, the past week, was operated on at the Episcopal Eye, Ear and Throat Hospital this afternoon for a slight affection of the throat. It was said at the hospital to-night that while the operation was delicate and painful it was not dangerous and was performed to cure a trouble of long standing, which was brought to an acute stage by the changeable weather here in the past week.

Mr. Sothern was unable to remain in Washington to-day, his company being billed to play in Richmond to-night. Miss Leonora Chippendale, Miss Marlowe's understudy, will appear in her roles until Miss Marlowe rejoins the company, which it is expected will be in about a week.

J. O. ARMOUR'S SLIDING ACRES.

Jury Rejects the Contention That His Lost Land Just Went to Sea.

A jury before Supreme Court Justice Brady returned a verdict for \$19,058 yesterday in a suit of J. Ogden Armour against the Sound Front Improvement Company. The plaintiff bought a tract of land on Staten Island Sound and near Raritan Bay for a fertilizer plant. After the land had been partly prepared for use it was resumed and the plaintiff found that instead of over seventeen acres he had less than fifteen. The error in measurement was not alleged to be intentional.

The defense was that the tract originally contained all the land for which Mr. Armour paid, but that in the process of deepening the channel two acres had slid into the sound. The jury rejected this contention.

NO MORE "DON'T KNOW."

Information Hereafter for Passengers When There's Railroad Troubles.

The superintendent of the Long Island Railroad has issued an order requiring conductors, trainmen and station agents to make every effort to ascertain the cause of any sudden interruption of train service and answer freely and courteously all questions asked by intending passengers as to causes and probable duration of delays. Arrangements have been made to have the dispatcher's office in Long Island City send out such information to train men and station agents as early as possible.

CAPT. GIBBONS NOT TO QUIT.

Denied There Is Friction Between Navy Department and Head of Academy.

WASHINGTON, Feb. 19.—The Acting Secretary of the Navy to-day denied reports from Annapolis to the effect that as a result of friction between Capt. John H. Gibbons, superintendent of the Naval Academy, and the Navy Department, Capt. Gibbons had asked to be relieved of his office.

These reports appear to have been based on the fact that the Navy Department recently failed to approve the recommendation of the academy board that two midshipmen be dismissed from the academy. Each has been given by the board the maximum of demerits for smoking and other violations of the regulations of the institution. The Department did not hold their offense serious enough to warrant dismissal.

TO FLY ACROSS ATLANTIC.

Atwood Thinks He Can Make Trip in 30 Hours With One Stop.

LYNN, Mass., Feb. 19.—"Believing that I can best prove that the aeroplane has come to stay by making a flight across the Atlantic, I shall attempt such a trip in the early part of May," said Harry N. Atwood to-day.

"I believe I have the machine that will accomplish this feat in thirty hours with but one stop under favorable conditions." Atwood confessed that the machine would probably be larger than any previously flown in this country. He said he would carry sufficient gasoline to make a 900 mile continuous flight and when he found his fuel getting low would make a landing near some ocean liner. He declares that there will be about twenty liners on the ocean at that season of the year and it will be an easy matter to pick up one of them.

Two men will accompany him on the flight, one a mechanic and the other a man acquainted with the sea, who will be able to show him how best to ride out a gale if one should be encountered.

Plans for the improved type of hydro-aeroplane which he will use have been completed and the work of building is well advanced. A lifeboat will be the only baggage except a small supply of food.

THREE NEGROES LYNCHED.

Mob Seizes Alleged Slayers on Way From Court to Jail.

CHATTANOOGA, Tenn., Feb. 19.—David Neill, David Bomar and Watt Greer, negroes charged with killing Special Officer S. W. Everson of the Nashville, Chattanooga and St. Louis Railroad and throwing his body from the train at Bell Buckle ten days ago, were taken from officers in the court house at Shelbyville by a mob to-day and beaten to death with sandbags and clubs. Their bodies were then riddled with bullets.

The lynching took place just after their attorney, W. S. Crowell, had waived examination to the Circuit Court. The officers were returning the negroes to jail when by what appeared to be a prearranged plan the mob moved upon the men and seized them.

A week after the payment by the importer of the 10 per cent duty originally assessed the Collector demanded the additional 50 per cent, amounting to \$110,000, which Citron paid under protest at the same time asking that the entire amount of the duty, \$132,000, be refunded and permission given him to take the pearls back to France. This demand was refused.

In the suit that followed the lower courts decided against the Government.

No consignment omits ANGSTURIA BITTERS in punches and fancy drinks.—Ad.

HERMIT'S COUSIN ACTS IN WILL FRAUD CASE

Mrs. Samuel Moves in Court to Have Committee Take Hallett in Charge.

TELLS OF DIRT IN HOUSE